

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

GAIL GALLOWAY,

Plaintiff,

V.

**PENNSYLVANIA BOARD OF
PROBATION AND PAROLE *et al.*,**

Defendants.

CIVIL NO. 1:CV-00-0649

ORDER

Before the court is Plaintiff's concurred in Motion to Waive Filing of Second Amended Complaint by Plaintiff. In said motion, Plaintiff requests relief from the court's March 3, 2004 order which required Plaintiff to file a second amended complaint by no later than April 2, 2003. The court issued its March 3, 2004 order because Plaintiff's Amended Complaint contained many extraneous claims that were previously dismissed by the court and affirmed by the Court of Appeals. However, because the parties have indicated that they are aware of the scope of the instant proceedings and because Defendant does not object to the relief requested in the instant motion the court will grant Plaintiff's request.

Accordingly, **IT IS HEREBY ORDERED THAT:**

(1) Plaintiff's Motion to Waive Filing of Second Amended Complaint (Doc. 88) is **GRANTED**. Plaintiff need not file a second amended complaint by April 2, 2004 and the captioned matter will proceed on Plaintiff's Amended Complaint. However, the court reminds Plaintiff that the only issues remaining is Plaintiff's allegation that the warrantless seizure of his son's weapons did not

constitute probable cause to arrest Plaintiff and, accordingly, that such seizure was a violation of Plaintiff's Fourth Amendment rights.

(2) Defendants shall file their Answer to Plaintiff's Amended Complaint by no later than April 20, 2004.

(3) The other pre-trial deadlines established in the court's March 3, 2004 order remain in full effect.

s/Sylvia H. Rambo
Sylvia H. Rambo
United States District Judge

Dated: March 25, 2004.